

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: <u>10/18/05</u>		2 Serial/Patent # <u>10/655,112</u>		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
<input type="checkbox"/>	Filing			\$
<input type="checkbox"/>	Amendment			\$
<input type="checkbox"/>	Extension of Time			\$
<input type="checkbox"/>	Notice of Appeal/Appeal			\$
<input checked="" type="checkbox"/>	Petition		<u>9/19/05</u>	\$ <u>400</u>
<input type="checkbox"/>	Issue			\$
<input type="checkbox"/>	Cert of Correction/Terminal Disc.			\$
<input type="checkbox"/>	Maintenance			\$
<input type="checkbox"/>	Assignment			\$
<input type="checkbox"/>	Other			\$
		7 TOTAL AMOUNT OF REFUND		\$ <u>400</u>
		8 TO BE REFUNDED BY:		
10 REASON:		<input checked="" type="checkbox"/>	Treasury Check	
<input type="checkbox"/>	Overpayment	<input type="checkbox"/>	Credit Deposit A/C #:	
<input type="checkbox"/>	Duplicate Payment	9	<div style="border: 1px solid black; display: inline-block; width: 100px; height: 20px; text-align: center;"> <div style="display: flex; justify-content: space-around; width: 100%;"> </div> </div>	
<input checked="" type="checkbox"/>	No Fee Due (Explanation):			
<u>PJO error</u>				
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME:		TITLE: <u>Del. Atty</u>		
SIGNATURE: <u>[Signature]</u>		PHONE: <u>23228</u>		
OFFICE: <u>4700</u>				
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APPROVED: <u>[Signature]</u>		DATE: <u>10/19/05</u>		

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

**Office of Finance
Refund Branch
Crystal Park One, Room 802B**



DDH ZFW

September 13, 2005

Edward Tannouse
Mail Stop Petition
Commissioner for Patents
Box 1450
Alexandria, VA 22313

In re Application of
Darren Chermack
Application No. 10/655,112
Filed: September 4, 2003
Attorney Docket No. N/A

As per our discussion on or about September 5th, I am sending these two petitions and supporting documentation

The original Notice to File Corrected Application Papers mailed on 11/28/2003 was not received, and my follow up inquiries to the patent office did not indicate that the application was waiting for further materials on my part. Now that I am aware of the required documents, I am happy to provide them.

Enclosed please find these two petitions along with these supporting documents:

- 1) Petition for Reconsideration of Patent Application Abandonment
 - a. Copy of docket record
 - b. Copy of reply to email inquiry of 9/22/04
- 1) Petition for Submission of Corrected Application Papers
 - a. Copy of Fig. 8
 - b. Copy of Specification, Claims, and Abstract reformatted to double spacing
 - c. Copy of receipt postcard listing contents of original application
 - d. Payment of \$400.00

Sincerely,


Darren Chermack

09/20/2005 MBIZUNES 00000002 10655112

01 FC:1462 400.00 OP

Adjustment date: 10/19/2005 AKELLEY

09/20/2005 MBIZUNES 00000002 10655112

01 FC:1462 -400.00 OP

Refund Ref:

10/19/2005 AKELLEY 0000148187

CHECK Refund Total: \$400.00



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1430
 Alexandria, Virginia 22313-1430
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/655,112	09/04/2003	Darren P. Chermack	

Darren Chermack
 9049 Pillsbury Avenue South
 Bloomington, MN 55420

CONFIRMATION NO. 6879

FORMALITIES LETTER



OC000000011376805

Date Mailed: 11/28/2003

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- o A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
 - o The line spacing on the specification, claims, or abstract is not 1½ or double spaced (see 37 CFR 1.52(b)).

The following item(s) appear to have been omitted from the application:

- o Figure(s) 8 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.